



General Assembly

February Session, 2012

***Raised Bill No. 368***

LCO No. 1872

\*01872\_\_\_\_\_PH\_\*

Referred to Committee on Public Health

Introduced by:  
(PH)

***AN ACT CONCERNING THE HEALTH INFORMATION TECHNOLOGY  
EXCHANGE OF CONNECTICUT.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. (NEW) (*Effective October 1, 2012*) (a) A patient, who is  
2       eighteen years of age or older, may elect to make his or her health  
3       information available through the electronic health information  
4       system, as defined in subsection (a) of section 19a-25d of the general  
5       statutes. In the case of a patient under eighteen years of age, the  
6       patient's parent or legal guardian may elect to make the patient's  
7       health information available through the electronic health information  
8       system. A patient or the parent or legal guardian of a patient under  
9       eighteen years of age shall complete and sign an authorization form in  
10      the manner prescribed by the Health Information Technology  
11      Exchange of Connecticut authorizing the disclosure of the patient's  
12      health information. Such authorization form shall include, but not be  
13      limited to, statements in clear and conspicuous language (1) describing  
14      the health information that may be disclosed, (2) describing the  
15      potential uses of the patient's health information, including  
16      identification of any person or entity to which the patient's health

17 information may be disclosed, and (3) providing notice that the  
18 patient, or in the case of a patient under eighteen years of age, the  
19 patient's parent or legal guardian, may withdraw authorization for  
20 disclosure of the patient's health information at any time. A patient's  
21 health information in the electronic health information system shall not  
22 be disclosed or made available except as provided in a completed and  
23 signed authorization form and as provided in subsection (b) of this  
24 section. The authorization for disclosure of such health information  
25 shall remain in effect until the patient withdraws such authorization in  
26 the manner prescribed by the Health Information Technology  
27 Exchange of Connecticut or, in the case of a patient under the age of  
28 eighteen years of age whose parent or legal guardian has authorized  
29 disclosure of the patient's health information, until the patient is  
30 eighteen years of age. Health information for a patient who does not  
31 complete and sign such authorization or, in the case of a patient under  
32 eighteen years of age, whose parent or legal guardian does not  
33 complete and sign such authorization for disclosure of the patient's  
34 health information, shall not be disclosed or made available through  
35 the electronic health information system, except as provided in  
36 subsection (b) of this section.

37 (b) A patient's health information in the health information system,  
38 as defined in subsection (a) of section 19a-25d of the general statutes,  
39 may be disclosed or made available without a patient's authorization:  
40 (1) To a health care provider when the health care provider reasonably  
41 believes that the information is necessary for the diagnosis or  
42 treatment of the patient's health condition in an emergency; (2) to the  
43 Department of Public Health or other public health authority, as  
44 defined in section 19a-131 of the general statutes, to carry out its  
45 responsibilities in accordance with chapter 368a of the general statutes;  
46 or (3) pursuant to a court order.

<p>This act shall take effect as follows and shall amend the following sections:</p>
--

Section 1	October 1, 2012	New section
-----------	-----------------	-------------

***Statement of Purpose:***

To specify the circumstances under which a patient's health information may be disclosed through the state's electronic health information system.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*